



# Senate

General Assembly

**File No. 692**

*January Session, 2003*

Substitute Senate Bill No. 1149

*Senate, May 14, 2003*

The Committee on Education reported through SEN. GAFFEY of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING DIETARY SUPPLEMENTS IN SCHOOL.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2003*) (a) For purposes of this  
2       section, "dietary supplement" means dietary supplement, as defined in  
3       21 USC 321(ff), as from time to time amended.

4       (b) No person employed as a coach by a local or regional board of  
5       education, or working as a coach in a public elementary or secondary  
6       school shall give, sell, exchange, deliver or otherwise provide any  
7       dietary supplement, or literature related to the use of any such  
8       supplement, to any student who is enrolled in a school in which the  
9       coach works or a school under the jurisdiction of the local or regional  
10      board of education which employs the coach.

11      (c) Any person who violates the provisions of this section shall be  
12      fined not more than five hundred dollars or imprisoned not more than  
13      six months or both.

This act shall take effect as follows:
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Section 1	<i>October 1, 2003</i>
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**ED**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Judicial Dept.; Correction, Dept.	GF - Cost	Potential	Potential
Judicial Dept.	GF - Revenue Gain	Less than 50,000	Less than 50,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill makes it a crime (that is punishable by up to 6 months imprisonment and/or a fine of up to \$500) for certain coaches to provide a dietary supplement, or literature related to the use of any such supplement, to any student who is enrolled in a public school in which the coach works or a school under the jurisdiction of the local or regional board of education that employs the coach. The cost of 6 months imprisonment is about \$15,200 on average, and the cost of probation for 6 months could range from \$260 to \$1,000. The number of potential offenders is unknown. However, revenue from fines is anticipated to be minimal.

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**OLR Bill Analysis**

sSB 1149

**AN ACT CONCERNING DIETARY SUPPLEMENTS IN SCHOOL****SUMMARY:**

This bill prohibits a coach from giving, selling, delivering, exchanging, or in any way providing dietary supplements or literature related to using such supplements to a student enrolled in a public school where he works or any school under the jurisdiction of the school board that employs him. A coach who violates this prohibition is subject to a fine of up to \$500, six months in prison, or both.

The bill uses a federal definition of dietary supplement. It is a product taken orally that contains a dietary ingredient intended to supplement the diet. These dietary ingredients may include vitamins, minerals, herbs or other botanicals, amino acids, or dietary substances that increase total dietary intake. Dietary supplements can also be extracts, concentrates, or metabolites of these ingredients. They may be found in many forms such as tablets, capsules, softgels, gelcaps, liquids, or powders. Federal regulations require such products to be labeled as dietary supplements.

EFFECTIVE DATE: October 1, 2003

**BACKGROUND*****Legislative History***

The Senate referred this bill (File 425) to the Education Committee, which reported a substitute adding the prohibition against providing literature related to the use of dietary supplements.

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Report

Yea 20      Nay 0

Education Committee

Joint Favorable Substitute

Yea 19      Nay 0